

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

119440

FILE: B-208801

DATE: September 15, 1982

MATTER OF: Committee of Domestic Steel Wire Rope
& Specialty Cable Manufacturers

DIGEST:

A trade association which has filed a protest on behalf of its members is not an interested party under GAO Bid Protest Procedures where no member of the trade association has a direct or substantial interest with regard to the procurement.

The Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers protests the award of a contract to ALBECO Fastener Co. under invitation for bids No. DACW33-82-B-0033 issued by the Department of the Army. The solicitation is a small business set-aside for steel wire rope. We dismiss the protest.

The Committee is composed of nine manufacturers, several of which submitted bids in response to the IFB. The Committee essentially contends that ALBECO made an incorrect or incomplete representation in its bid concerning its status as a small business. ALBECO did not complete the standard representation in the solicitation concerning whether or not a bidder who is not the manufacturer of the items produced will supply goods manufactured by a domestic small business concern. In another portion of its bid, ALBECO represented that it was a dealer and not a manufacturer of the required items. The protester argues that award on the basis of the incomplete bid representation was improper, especially in light of the protester's belief that the rope offered by ALBECO was manufactured outside the United States.

We will not consider these contentions. In order to have a protest considered by our Office, a party must be "interested" under our Bid Protest Procedures, 4 C.F.R. § 21.1(a) (1982). In determining whether a party is sufficiently interested, our Office examines the party's status in relation to the procurement and the nature of the issues involved. Therm-Air Mfg. Co., Inc., 59 Comp. Gen. 255 (1980), 80-1 CPD 119. In

determining whether a trade association qualifies as an interested party, we focus upon the interest its constituent members may have in the procurement. See Association of Soil and Foundation Engineers, B-199548, September 15, 1980, 80-2 CPD 196. We have been informally apprised of the identities of the second and third low bidders, and neither is a member of the Committee. Therefore, even if we sustain the protest against award to ALBECO it appears that no member of the Committee will be in line for award. Hence, no individual member of the Committee has the requisite direct and substantial interest necessary to maintain a protest. See International Business Investments, B-202164.2, June 8, 1981, 81-1 CPD 459. If none of the members of a trade association is an interested party, the trade association cannot be considered an interested party with respect to a protest that it has filed on behalf of its members.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel